THE COURTS.

MRS. LIBBIE SPANNOCHIA'S SUIT. SHE IS TRYING TO RECOVER FROM EX-JUDGE LOEW A LARGE PART OF HER FIRST

HUSBAND'S ESTATE. The second attempt of Mrs. Libble Spannochia to recover from ex-Judge Frederick W. Loew, of the Court of Common Pleas, a large portion of the estate of her first husband, Jacob Vanderpoel, which she says she has been defrauded of, was begun yesterday in the Supreme Court before Justice

andrews and a jury.

Mrs. Spannochia was married to Mr. Vanderpoel in 1873. They lived together for some years, when a separation took place and she brought an action against him for a divorce. In 1883, one year before the death of Mr. Vanderpoel, who was a awyer, she obtained a decree in her favor. afterward she married again and went to Paris to live, and has lived there ever since. Her first action was brought in the Court of Common Pleas against ex-Judge Loew to recover \$150,000 damages which she said she had sustained by reason of his misrepresentations as to her first husband's property. Loew, she said, had been her friend, adviser, and attorney in all her transactions, and she placed implicit faith in him. She had signed releases and agreements upon representations made by ex-Judge Loew that er husband's property was not worth more than \$85,000, whereas after his death it was discovered to be valued at over \$790,000, releasing all right of dower in her husband's property and all other claims for \$20,000. She says that these releases were btained from her by fraud, and she brought a suit for damages against Loew. That action, when brought to trial, was settled, it is understood, upon the payment of \$500. This action was then begun to recover her dower right in all her husband's property, including many valuable pieces in this city, and also \$30,000 damages for withholding it from her, upon the ground that the releases were obtained by fraud, and that she was not aware of the contents of the papers that she had signed, and believed that she was simply signing away her claim to alimony, upon the payment of \$20,000, in-

claim to alimony, upon the payment of \$20,000, instead of her claim to dower. The releases, which were signed by Mrs. Spannochia, are set up as a bar to recovery in this action.

She was called to the stand, but only a few questions were asked her when the legal questions were brought up by Joseph H. Choate, the counsel for ex-Judge Loew. Their discussion occupied the greater part of the day. Mr. Choate insists that an action of this character cannot be maintained until the releases of dower are removed, and in any event it cannot be maintained until steeleases of the removed of the first husband. About this latter point Justice Andrews said there seemed to be some doubt, and he promised to examine it to-night, and decide about it when the trial is resumed to-day. John D. Townsend is the counsel for Mrs. Spannochia. He insisted that an action for dower could be brought any time within twenty years, and that this action, being one where fraud was charged, was clearly maintainable under the recent rulings of the Court of Appeals.

Mrs. Spannochia and ex-Judge Loew, both of whom have lived in Paris for some years, came to this city recently for the purpose of trying the case. The trial will be resumed to-day.

NICARAGUA CONSTRUCTION CO. BONDS. There was filed in the clerk's office of the United

States Circuit Court yesterday a finding from the preliminary report of a master in chan-cery on a claim of the Manhattan Trust Company, as trustee, for the benefit of holders of \$5,000,000 collateral trust bonds upon the Nicaragua Construction Company.

By an agreement between the Nicaragua Construction Company and the Nicaragua Canal Company in 1892, the Canal Company gave the Construction Company a certificate of obligation for \$5,000,000, and issued first mortgage bonds. The certificate was deposited with the Manhattan Trust Company as security for the payment of the \$5,000,000. These bonds were made convertible in 1897 into first mortgage bonds of the Canal Combut redeemable at the option of the Construction Company at any time in the five years and bearing 6 per cent, redeemable in cash. The certificate is held by the Manhattan Trust Comto amounting to \$55,500, issued by the Manhattan Trust Company and are now outstanding. There has been deposited with the trustee \$15.093 27, which is sufficient to pay interest on the bonds until their maturity. The report concludes

It further appears, from proof, that the receiver the Canal Company should record its morigage, and deliver the bonds to which the Construction Company is entitled, under the agreement of January 3, 1890, but that such bonds have not been received. of the Construction Company has demanded that

received. I report that the collateral trust bonds to the amount of \$55.500 are valid claims against the company, though holders are not entitled to share in the distribution of its assets, unless it shall appear, upon the maturity of its bonds, that the Construction Company, or its successors, shall have failed to exercise their option to convert the same into first mortgage bonds of the Canal Company."

warded to Mrs. Marie Heidenheimer a decree of separation from her husband, Charles Heidenheier, upon the ground of his cruel and inhuman treatment and abandonment of her. They were married in December, 1881, and took an extensive trip abroad. While in Germany their domestic relations became so strained that a separation e curred, but they became reconciled and returned to this city. Mr. Heidenheimer sued her for a separation upon the ground of abandonment, and she in turn asked for a separation from him upon the ground of cruel and inhuman treatment and abandonment. When the case was brought to trial Mr. Heidenheimer did not appear, and testimony was given on the part of the wife shewing that her husband had been cruel to her and that she could not live with him any longer. Justice Ingraham awards to her the custody of the boy.

THE ERIE COMPANY GETS DAMAGES.

Washington, Dec. 3.—The long-standing litigation growing out of the collision between the ferry-boat Pavonia, of the Erie Railway, and the steamer Breakwater, of the Old Dominion Line, in New York Bay, December 16, 1887, was disposed of by the Supreme Court of the United States to-day in an opinion by Justice Brown. The District and Circuit courts below found that the Breakwater was entirely at fault, and gave the Eric company judgment for damages and demurrage in the sum of \$7.570. The Supreme Court affirmed the judg-

THE CONTEST OVER MRS. PEYTON'S WILL. Pending the contest which has been instituted by William Peyton over the will and codicils of his wife, Josephine L. Peyton, in the Surrogate's Court, Surrogate Fitzgerald has appointed the exvester Pope and William L. Condit, temporary administrators of the estate. They are required to give a bond of \$500,000 for the faithful performance of their trust.

DECIDED IN FAVOR OF MERGENTHALER. Philadelphia, Dec. 3 .- Judge Acheson filed an opinion in the United States Circuit Court of Appeals in an important patent suit to-day. The complainant was the Mergenthaler Linotype Company, and defendant was the Rogers Typograph Com-

The matter came up from the New-Jersey cir-cult, which held that the Rogers company had infringed on the Mergenthaler company's patented machine. The present finding affirms the decision of the Court.

DECISIONS IN THE SUPREME COURT. Washington, Dec. 3 .- In the Supreme Court of the United States to-day the following, among other, de-

cisions, were handed down: cisions, were handed down:

No. 60. John Hobart Warren et al., appellants,
agt. William J. Keep, appeal from the Circuit Court
for the Southern District of New-York; decree affirmed with costs and interest.

No. 61. The steamship Breakwater, appellant, agt.
No. 64. The steamship Breakwater, appellant, agt.
Company, appeal from the Circuit Court for the
Eastern District of New-York; decree affirmed
with costs.

with costs.

No. 19. Arthur Origet, plaintiff in error, agt. Elizabeth C. Hedden, executrix, etc., in error to the Circuit Court for the Southern District of New-York; judgment affirmed with costs.

No. 37. Frederick W. Muser, et al., etc., plaintiffs in error, agt. Daniel Magone, Collector, etc., in error from the Circuit Court for the Southern District of New-York; judgment affirmed with costs.

The day call for Tuesday, December 4, will be as follows: Nos. 30, 97, 100, 101, 102, 103, 633, 740, 741 and 747.

COURT OF APPEALS CALENDAR. Albany, Dec. 3.—The Court of Appeals day calendar for to-morrow is Nos. 586, 597, 596, 598, 577, 694, 458 and 568.

COURT CALENDARS FOR TO-DAY. Supreme Court-General Term-Before Van Brunt, P. J., PBrien end Parker, JJ.-Nos. 37, 38, 39, 42, 44, 48, 50, 2, 53, 55, 64, 66, 67, 73, 75, 76, 78, 79, 84, 85, 10, 91, 3, 54, 56, 57, 58, 58, 59, 59, 51, 54, 55, 50, 51, ne Court-Chambers-Before Patterson, J.-Court 10:20 a.m. Motion calendar called at 11 a.m. se Court-Special Term-Part I.-Before Lawrence, res. No. 26:31, Law and fact: Nos. 1802, 1654, 12, 1831, 1830, 1861, 1876, 884, 1883, 1822, 1384, 1018, 164, 522, 1114, 1801, 2011, 1372, 282, 280 ri-Special Term-Part II—Adjourned until cember 5. ri-Special Term-Part III—Before Stover,

J.—Causes to be sent from Part I for trial. Case unfinished.

Circuit Court—Part II—Before Williams, J.—Causes to be sent from Part III for trial. Case unfinished.

Circuit Court—Part II—Adjourned until Wednesday, December 1.

Circuit Court—Part II—Adjourned until Wednesday, December 5.

Circuit Court—Part II—Adjourned until Wednesday, December 5.

Circuit Court—Part II—Adjourned until Wednesday, December 5.

2684. Clear.
Circuit Court.—Part IV.—Before Andrews, J.—Causes to be sent from Fart III for trial. Case unfinished.
Superior Court.—Special Term.—Before Durro, J.—Nos.
481, 540, 617. Case unfinished.
Superior Court.—General Term.—Before Freedman, P. J.,
McAdam and Gildersleeve, J.J.—Nos. 9, 12, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 23,
Superior Court.—Trial Term.—Part III.—Before Sedgwick,
Superior Court.—Trial Term.—Part I and II.—Adjourned for the term.

REFEREES APPOINTED By Patterson, J.

By Truax, J.

Matter of Graham-William M. Hoes. Germania Life Insurance Co. vs. Ebling-Eugene

Common Pleas.
By Bischoff, jr., J.
Matter of Pickett-Charles N. Morgan. Superior Court. By Dugre, J. Sears vs. Sears-Louis C. Raegener, Ryan vs. Healy-James M. Varnum RECEIVERS APPOINTED.

Py Patterson, J. Matter of Kimberley Diamond Co.—David J. Lees. William Rankin vs. Harold Reid-George C. Coffin

ANOTHER ATTACK ON DR. PARKHURST.

THE REV. C. H. M'ANNEY COMPARES HIM TO A "ROARING LION," AND TALKS ABOUT THE DUTIES OF MINISTERS.

The Rev. C. H. McAnney addressed the New-York Preachers' meeting in the audience-room of the Methodist Book Concern, at Fifth-ave, and Twentieth-st., yesterday morning. His subject was "Religious Rebuke a Lost Art." Mr. McAnney was from 1891 to 1894 pastor of the Washington Square Methodist Episcopal Church. Since last spring he has occupied the pulpit of St. Paul's, at Tarrytown, where his vigorous preaching has attracted much attention and excited some hostility. He said in his address yesterday morning that it is not so much to the poor that the Gospel should be preached as to the rich. There was too much willingness on the part of preachers, he said, to be attractive to their hearers, and too strong an indisposition to address themselves aggressively their work.

The preacher alluded to Dr. Parkhurst as a "man who had acquired much glory by going about like a roaring lion through the localities and dens of iniquity. But when it came to the question of temperance, he cast his eyes along the occupants of the front pews in his own church, smiled like a sick kitten, and answers that he is not ready to express himself on that subject."

SONG AND DANCE AND SPECIALTY.

programme was the appearance in America Eugenie Petrescu, from the Nouveau Cirque, Paris, of whom some account appeared in these columns a few days ago. Other features of

treated to a pleasant surprise, in addition to the new wax groups and the concert by the Gypsy Orchestra. The whole interior of the Musee has been remodelled and refurnished. The changes in the winter garden and galleries consist mainly of new curtains and gilding, and the addition of over fifty specimens of choice palm decorations. But the main change is in the large smokingrooms, above and back of the stage. The sides and ceilings have been decorated with artistic panels, delicately colored. Divans and pillows have been added, and comfortably arranged. As the music can be plainly heard in the smoking-rooms. it makes a pleasant resort during the concerts. A trapeze performer has been added to the Japanese jugglers' group, and is one of the best figures

The most notable occurrence at Proctor's Theatre vesterday was the return of Miss Susie Kirwin, who became popular there in the summer opera season. The new living pictures are continued and there is abundant and agreeable entertainment in a bill which includes James Thornton, in a new monologue; Ford and Frances, in sketches Cain and Du Bois, grotesque acrobats; Theo, musician; Baldwin and Daily, Rose and Harry Went-worth, dancers; Mead and Della Werntz, in "That Old Couple"; the Hill Sisters, in songs and dances; Thomas Haley, Reta Durand, serio-comic; M. Silbor, Annie Lloyd, in character changes; Earle and Bradley, Irish dancers and pipers; the Bernards, in "Patches"; Delmain and O'Brien, aerial gymnasts; "Professor" Theodore, ventriloquist, and James G. Cowper, dancer.

Tony Pastor and his company continue to mak things agreeable for their audiences in Fourteenth-st. The sisters Preston are to remain for only one week longer, as they have to get back ndon in time for the Christmas pantomimes. Other attractions on the present programme are A. H. Wilson, Miss Louise Allston, contralto soloist, who last night made her first appearance at this theatre; Burns and Coakley, in "Aunt Hannah's Wash-Day"; the Brothers Venola, comic gymnasts; the McNulty Sisters, in songs, duets, changes, etc.; the Highleys, J. G. Harrington, Shedman's dog circus, and Tony Pastor himself, in new songs and parodies, including "The Tramp Who Slept at Pastor's."

Harry Menier, the plucky young Englishman, who jumped from the Brooklyn Bridge into the river, is the chief attraction at Huber's Fourteenth Street Museum this week. Menier used a
parachute in his descent from the Bridge. "The
Strange Young Man," an adventurous Texan,
who has driven all the way from the Gulf of
Mexico to this city, and will next week continue
his ione voyage to Jerusalem and the Holy Land
for a wager of \$10,000, is also on exhibition, together with the bronco, burros and prairie wagon
which carried him across the continent. Jarrow,
the strong boy, continues to execute his feats,
and the Oura troupe of Japanese acrobats are introduced. Other features of the curio halls are
the Pujol Brothers, and their wrestling bears;
"Clawhammer Gus," the electrical merry-goround, and Professor Frank's broom-factory. In
the theatre, Huber's entertainers give a continuous performance. The company includes the
Weston Sisters, Hughes and Lindsay, Hoffman
trio, Miles and Raymon, James Gray and George
Barlow. is the chief attraction at Huber's Four-

Barlow.

The programme at the Atlantic Garden, No. 50 Bowery, drew many visitors last evening. Among the attractions are Odel and Gordon, comedy sketch artists; the Le Verdi sisters, song and dance; "Dick" Leggett, eccentric comedian, and Ignatz Conradi, tenor. Miss Ida Russell, comedienne, will appear for another week, having made many friends. There was music in the intermissions by the Elite Lady Orchestra, whose members appeared in handsome uniforms, and the World's Fair Prize Orchestrion.

THANKS RETURNED FOR THE LOAN EXHIBITION The following has been sent out for publication St. John's Guild, of the city of New-York, and the New-York Orthopaedic Society, desire to thank the press, the lenders of portraits, the artists, the committees and visiting public for their aid in so generously contributing toward the success of the loan exhibition of portraits of women, and feel sure that this help to the children under the care of these institutions will well requite them for their labor and interest.

and interest.
St. John's Guild of the City of New-York,
By William Brookfield, President.
New-York Orthopsedic Dispensary and Hospital.
By O. Egerton Schmidt, President.

THEY WILL SQUEEZE THE RETAILER, AND THE OBJECTIONS BY THE BOARD OF ESTIMATE TO CONSUMER MUST STAND THE PRESS-

The anthracite coal sales agents met yesterday and ratified their action of last week, fixing the output for December at 2,500,000 tons and advancing prices. The basis practically agreed upon was \$140 per gross ton at Buffalo, and \$580 per gross ton and \$525 per net ton at Chicago. Last year the Western prices were about \$460 per gross ton on cars at Buffalo and \$3 at Chicago Line prices have not been seriously discussed, as it is recognized that adherence to the tidewater circular will take care of the line schedule. The agreement to restrict production and to ad-

e prices was made unanimous by the assent of the Lehigh Valley Company late in the afternoon. The tidewater free on board prices for December will be: Egg. \$3.60; broken, \$3.50; grate, \$3.75, and

An officer of the Retail Coal Exchange and several of its members with whom a Tribune reporter eral of its members with whom a Prionic reporter conversed late yesterday afternoon were unani-mous in declaring that an advance of the retail price of coal is necessary on account of the ad-vance of wholesale prices. They said that coal has for a long time been sold at such low prices, on account of a slack demand and very active competi-tion, that the advance of wholesale prices is sufficlent to wipe out the retailers' profit at the old rate. According to their statements, which were all substantially the same, no honest dealer can afford to sell at the old retail prices coal bought at the new wholesale rates. Egg and stove coal, the kinds most used for family purposes, have for a long time been sold respectively for from \$4.75 to \$5 a ton, according to the quantity bought by the consumer for delivery at one time. These quotations are for the best white ash coal. Inferior grades of the same kind of coal have ranged from 25 to 50 cents a ton cheaper. Plymouth red ash coal has been sold from \$5 to \$5.25 a ton, but in making

has been sold from \$5 to \$5.25 a ton, but in making quotations dealers do not refer to this grade without specifically designating it by name.

"Retail prices of coal," said one of the most extensive dealers with whom the reporter talked, "will surely be advanced in proportion to the advance on wholesale rates. There will be no meeting of the Exchange for that purpose or any formal action in the trade. Each dealer will make an advance without reference to what others may do. "The advance will be from 25 to 50 cents a ton. The new wholesale rates for egg and stove coal are \$5.09 and \$5.05 a ton, which is 29 and 35 cents, respectively, more than the old rates.

CHICAGO GETS A NEW-YORK MINISTER

THE REV. DR. HULBERT, DR. BURRELL'S AS CIATE, ACCEPTS THE CALL TO OAK PARK.

The Rev. Dr. Palmer S. Hulbert, known as "the pastor of the strangers," in this city, since the death of Dr. Deems, has decided to transfer his activities to Chicago, and on January 1 he will begin his duties in that city. Dr. Hulbert preached a recent Sunday in Dr. E. P. Goodwin's Church in Chicago, and a hearty call was presented to him the following week by the Oak Park Congregational Church, a strong congregation, in a stone building, eight miles west of the Chicago City Hall, but only twenty minutes distant. There a church membership of 800, with 600 in the Sunday-school. Besides receiving his moving ex-Dr. Hulbert will have a salary of \$3,500

Scottish Free Kirk in that province. He was graduated from Wabash College, at Crawfordsville, Ind., in 1876, and from the Auburn Theological Seminary three years later. In 1879 he received degree of Master of Arts from Wabash Col-The University of Omaha has recently Prospect Street Church, of Newburyport, Mass. dence, R. I. In October, 1891, he was invited to cept the place of associate pastor in the Marble

Dr. Hulbert will leave an important field here, and one that is not filled by any other minister in Every Sunday he welcomes the newthe programme were Carmencita, who is making comers who throng the church to hear Dr. David her last appearances in America before her departure for Europe; M. and Mme. Bruet-Riviere. dresses of thirty or forty strangers every week, duettists and imitators, the brothers Rossow, lill- and before the next Sunday he has called on all of them, and made them feel that they will be triloquist; Mile. Erminia Chelli, Ivan Tschernoff no longer strangers when attending the Marble Justice Ingraham, of the Supreme Court, has warded to Mrs. Marie Heidenheimer a decree of eparation from her husband, Charles Heidenheimer. ting 100 a week, and distributing in add 500 invitations to the Sunday and eek services. His regular parish is bounded nion Square, Central Park, Sixth-ave, and gton-ave. A large correspondence in the into the church is also carried on by this asso-

of the church is also carried on by this associate pastor.

Dr. Hulbert does not spend all of his time calling. He leads a large Bible teachers' class every Saturday exening, and assists at the other weekly meetings. One or two months in the summer when Dr. Burrell is absent he occupies the pulpit, and preaches occasionally in the winter. Outside of his duties in the Marble Church he fills an important place in the city. He is president to the Reformed Pastors' Association, where he read a paner yesterday on "The Theology of R. Fay Mills," and is vice-president of the Presbyterian Ministers' Association. In the meetings of both of these associations he has been a hard worker, and his papers and addresses have been both inspiring and profitable.

SEELY STILL IN HIDING.

HIS COUNSEL KNOWS WHERE HE IS, BUT THE

DETECTIVES HAVE NOT EARNED THAT \$5,000. Samuel C. Seely, the defaulting bookkeeper of the Shoe and Leather National Bank, is still missing, and no information regarding him can be obtained from his counsel, Frank W. Angel, who, while he will not deny that he knows where his elient is, simply says: "I have nothing to say." When seen at his office, No. 108 Fulton-st., yesterday. Mr. Angel said: "Coming to me for news as to Seely's movements is like pumping a vacuum."

When asked if he believed Seely would commit suicide he said: "No. I know he has not done so

within the last twenty-four hours, and I doubt if he would. I don't think he has any such intention, he continued, "and would rather go to prison than

Mr. Angel said he saw the report to the effect that the amounts fraudulently drawn were all divisible by five, but he would not express an opinion on the subject.

Herbert S. Ogden, counsel for the Baker family. was seen at his office, No. 31 Pine-st., yesterday and said that the further examination of the books and papers in Baker's safe would not be resumed until after the will had been probated. Mr. Ogden was shown a fac-simile of a check for

\$200 drawn by Baker on the Shoe and Leather National Bank in 1868, and said he supposed it was a correct reproduction, but that thus far no checks, ckbooks or any other memoranda pertaining to his transactions with the bank in recent years had been found among his papers.
"It seems strange," said Mr. Ogden, "In the light

of all that has been said, that Mr. Baker's account with the Chatham Bank should have been so scrupulously correct. It was right, up to the last oment. When he needed a little money in his business, it seems he gave his note at that bank and still owes \$1,100 on a paper of that kind. Why

business, it seems he gave his note at that bank and still owes \$1,100 on a paper of that kind. Why should a man borrow \$1,100," he added, "when, according to general belief, it was just as easy to get \$11,000 without giving his paper?"

As to the theory of five, Mr. Ogden said: "It seems more than probable to me. People who are in business of that kind don't make quarterly or monthly settlements. It is more than likely that daily returns were made. We know that Seely came to Baker's office, and the chances are that the three parceis were made after his visits."

Mr. Ogden said he did not know Mr. Angel, and had never seen him, nor did he wish to criticise his methods, but he did think that, having named Baker, he should tell all he knows about him. He said that Baker's family was perfectly willing that everything should be made public.

President Crane, of the Shoe and Leather Bank, said yesterday that nothing had reached him to indicate that there was any truth in reports of Seely's having been found by the detectives who, are working for the \$5,000 the bank has offered as a reward for the fugitive bookkeeper's capture.

"Is it a fact, as has been asserted, that Seely's house in Brooklyn, No. 422 Haisey-st., has never been searched by officers?" President Crane was asked.

"I know nothing about the matter," Mr. Crane

replied.
The cashier, Mr. Van Vechten, professed similar

THE U. S. GRAND JURY TO INDICT SEELY. The United States Grand Jury will assemble today. United States District-Attorney Macfarlane was asked yesterday whether the case of Samuel C. Seely, the missing bookkeeper of the Bhoe and Leather National Bank, would be presented to the

AGAINST THE BARNEY DUMPING CO.

At a meeting of the Board of Estimate and Apportionment yesterday at the Mayor's office, Com-missioner Andrews, of the Street-Cleaning Department, made a statement which aroused a deal of resentment on the part of Mayor Gilroy and the other members of the board. He said the Barney Dumping Company demanded \$50 a day for the use of their scows. The city is now paying \$23 a day, and it was declared that the exorbitant demand was made to force the city to buy the scows for \$340,000, when, according to the affidavits made by the company to the Tax Commissioners, their value is far less. The scows at present are the only ones available for deep-sea dumping. Com missioner Andrews said that in 1882, '83 and '84 the same scows were rented for \$15 a day. Since then the company has been steadily raising the price. The Commissioner said he had protested against the proposed increase in the rental, and submitted

The Commissioner said he had protested against the proposed increase in the rental, and submitted the protest in writing. President Barker, of the Tax Department, said indignantly: "They are trying to force us to buy their scows. They are not worth anything like what they want for them. We are buying them over and over again at the present rental."

"I protest," said Controller Fitch. "They think they have the city in a corner. The city should not be forced to accede to such demands."

Mayor Gilroy said that the city should own its own scows, and not be in the power of any private corporation.

Turning to Commissioner Andrews, the Mayor asked how much the increased rental amounted to a year. The Commissioner named the sum of \$29.822. The sum in the aggregate was formidable, and the Mayor asked if other boats could not be employed. The Street-Cleaning Commissioner said no, and then requested permission to read a statement, in which he recommended that deep-sea dumping be abandoned and Riker's Island be used as soon as the existing injunction was dissolved. He recommended that the city own its own plant and carry out the suggestions made by the Mayor's Advisory Committee in relation to the separation of garbase and ashes. Mayor Gilroy moved that a committee, consisting of Controller Fitch, President Barker and Corporation Counsel Clark, be appointed to look into the demand of the Barney Dumping Company, the report of the Advisory Committee on the garbase question, and Commissioner Andrews's suggestions. The committee was accordingly appointed, to report at the next meeting, if possible, and, anyway, before the final estimate was adopted.

The Mayor announced that the consideration of the final estimates would begin on December 19.

KNOCKED DOWN IN FIFTH-AVE.

A MAN ATTACKED BY HOODLUMS IN BROAD DAYLIGHT AT THIRTY-FOURTH-ST.-HIS HEAD BADLY CUT WITH STONES.

Benjamin Rosenthal, who is a dealer in glassware at No. 102 Chambers-st., was assaulted and knocked down in broad daylight at Thirty-fourthst. and Fifth-ave, shortly after 12 o'clock yester day afternoon by a gang of boys. He captured one of them and took him around to the West Thirtieth-st. station-house.

Mr. Rosenthal told the following story in the Jefferson Market Court yesterday afternoon, when he appeared before Justice Voorhis as complain-

every week. I have noticed for some time past that a gang of about twenty young fellows rang-ing from fifteen to twenty years have been infesting the street. They follow the women are walking, asking them for money and annoying them in various ways. This morning I was in elmonico's, and on looking out of the window I them money. I told them that I would not do it and that they ought not annoy people on the streets. I then went into the Brunswick Hotel. I was there for ten or fifteen minutes. When came out the fellows were still in front of the As soon as they saw me they began to yell

I walked up Fifth-ave, with the crowd following ne. At Thirty-fourth-st the crowd upset a stand f candy kert by an Italian. Then they turned of candy ke; I by an Italian. Then they turned their attention to me. A big, red-headed fellow, the leader, ran up and hit me in the face and knocked me down. I got up and made a rush for him, grabbing him by the coat-collar. Then the whole gang pitched on me while I shouted for help. This red-headed fellow finally broke away from me and then the whole gang ran around me in a circle throwing stones at me. I finally succeeded in catching one of them—this boy here. Then one of the fellows came close to me and hit

Mr. Rosenthal was badly cut in the head just above the temple. It was necessary to take four stitches in the wound at the station-house. In court Mr Rosenthal's prisoner said he was Walter Johnson, fourteen years old, of No. 345 West Forty-fourth-st. The lad admitted that he had been with the crowd of boys and was fined \$10.

SONS OF THE REVOLUTION MEET.

Fraunce's Tavern, Broad and Pearl sts., the New York State branch of the Society of the Sons of the Revolution held its annual meeting yesterday afternoon. The following were elected officers: Frederick Samuel Tallmadge, president; William Gaston Hamilton, vice-president; Thomas E. Ver milye Smith, secretary; Arthur Melvin Hatch, treasurer; Charles Isham, register; the Rev. Brockholst Morgan, chaplain; Board of Managers, John Law-Benjamin Douglas Silliman, Charles Angus merhorn, Asa Bird Gardiner, Charles Augustus Peabody, jr., Henry Wyckeff Le Roy, John Hone Hornblower Woodruff, William Gaynor Dominick, Frederick Clarkson and John Taylor

A press committee consisting of Frederick H. Brooks, Daniel F. Kellogg, R. N. Hyde, J. C. Hyde and George W. Olney, who were not on the regular ballot, was also elected. The committee which was appointed at a previous meeting to arrange for the establishment of a permanent home for the society made no report, and another one, consisting of President Talimadge, ex-officio, Messrs. Olyphant, Chauncey, Barton, Smith, Draper, Hedden, Cable, Drum and Beiknap, was appointed. This committee was instructed to meet as early as possible and to make its report at a special meeting to be held on February 24. The treasurer's report showed the society to be in a prosperous condition. The State branch has a membership of about 1,500. The State branch has a membership of about 1,500. President Talimadge urged that the New-York branch secure permanent quarters as soon as possible. Speeches in the same vein were made by Vice-President-elect Hamilton and Marcius D. Raymond, of Tarrytown. was appointed at a previous meeting to arrange for

Just as Chief Engineer Thomas McLaughlin, of Ellis Island, was about to take the boat at the Battery for the island yesterday morning, he was ar-rested by City Marshal McCauley, under an order granted on execution of a judgment for \$187 and costs, amounting in all to \$247. He was locked up

CHIEF ENGINEER MULAUGHLIN ARRESTED.

Ludlow Street Jail. The cause of McLaughlin's troubles is that in 1889 he was elected treasurer of troubles is that in 1889 he was elected treasurer of Court of Power Lodge, No. 7,735, of the American Order of Foresters, and when he was retired from that office there was a shortage of \$187, which he was requested to make good. From time to time he has put the day of settlement off. In May last he was sued for the amount, and a judgment obtained against him, the suit being brought in the name of the present treasurer, Joseph J. Deneve. This judgment was reopened last week, and as McLaughlin failed to file a bond, his arrest followed.

GOLD FOR THE BONDS ALL HERE. The Sub-Treasury in this city has received the

whole amount of gold which is to come from the city for the new bonds. The total was \$50,409,425. From other places there is about \$8,311,321, part of which has been paid. This will give the Government for its bonds about \$58,720,747. The last issue netted the Government \$58,660,918.

A POLICEMAN DIES FROM PNEUMONIA. Policeman Patrick Murphy, of the Oak-st. station, died from pneumonia yesterday at his home, No. 501 West One-hundred-and-forty-fourth-st. He had only been ill since November 23. Murphy left a young wife, whom he married less than a year ago. He was appointed on April 1, 1863, was fifty-four years old, and had been attached to the Oak-st. station for over twenty years.

A meeting of the lot-owners of Greenwood Ceme

tery was held yesterday in the Home Life Insurance Building, No. 257 Broadway, for the purpose of electing five trustees. Ex-Judge J. W. Gilbert presided. These trustees were re-elected: David C. Legget, Alexander M. White, William Cary Sanger, John W. C. Leveridge and Edmund M. Baylles. CLOSING PRICES OF SAN FRANCISCO STOCKS.

Saturday To-day	Belcher	75	45 Mexican	73	70 day	
Best & Belcher	73	40 Ophir	2.00	1.95		
Bodie Conacl	86	77 Potos	50	44		
Bulwer	65	65	81	82	89	36
Chollar	43	3.50	81	81	82	83
Crown Point	50	50	Union Consol	56	53	
Gould & Curry	45	41 Yellow Jacket	50	48		
Male & Norcross	1.05	56	48			
Male & Norcross	1.05	56	48			
Male & Norcross	1.05	56	48			
Male & Norcross	1.05	56	48			
Male & Norcross	1.05	56				
Male & Norcross	1.05	56				
Male & Norcross	1.05	56				
Male & Norcross	1.05	56				
Mexican	70	70				
Mexican	70	70				

NEW PUBLICATIONS.

AN AMERICAN ARTIST.

THE LIFE AND TIMES OF A. B. DURAND. By John Durand. With illustrations. Quarto, pp. ix. 232. Charles Scribner's Sons. Mr. John Durand has told the story of his

father's life in a spirit that brings back quite clearly the atmosphere in which that life was developed from obscurity to success. The biographer is plainly in sympathy with the customs and feelings to which Asher Durand was born just before the beginning of this century. Both were characteristic of a young world with its artistic horizons only half explored, yet one of the pleasantest things about this volume is the sense that it gives you of a high-minded gen-eration which made up in fine feeling what it lacked in familiarity with cosmopolitan standards. It was a narrow society which nevertheless had more true culture than is often found among people of wider experience. The school of that day has gradually receded, but the memory of the men who made it will ever remain fragrant in the history of our city. Durand was one of those early founders of

only a short time ago, in 1886, but he was ninety then, so it will readily be seen that in his prime he belonged to the race of pioneers. First as engraver, then as painter, he made himself proficient according to the conventions of his time, and figured as one of our strongest artists. For years he was president of the Academy of Design. To-day his artistic laurels are faded, but the significance of his personality remains. Durand belonged to the era in which Bryant, Halrand belonged to the era in which Bryant, Halleck, Kensett, Greenough, Vanderlyn, Morse and Rev. T. H. Landon, Principal, others, whose names will recur to old Newothers whose names will recur to old New-Yorkers gave the tone to literature and art. Some of them were his intimates. It is to be regretted that this fact has not added anecdotic richness to the present biography, which is poor in quotable reminiscences; but the general flavor of his environment comes out in the record of his life. In the beginning he was confronted with almost primitive conditions, New-York offering few facilities for artistic development, fewer patrons, and hardly any artistic society. By and by the Sketch Club was founded, a society in which poets and painters mingled in the merriest way. At one meeting "we find Mr. Bryant propounding 'a sage notion that the perfection of bathing is to jump headforemost into a snowbank.' Scientific inspiration shows itself in this question: 'Does heat expand the days in summer?' Mr. Verplanck throws antiquarian summer?" Mr. Verplanck thought in the precise form and capacity of anight 'on the precise form anight 'on the precise form anight 'on the precise form ani men of peculiarly refined and dignified nature. Even in their larks the celebrities of the day shared that indescribable air of gentility and wholesomeness which we remember when we think of a New-York extending not far above think of a New-York extending not the Bat- THE CAMBRIDGE SCHOOL FOR YOUNG LADIES, the City Hall, a New-York in which the Bat- CAMBRIDGE MASS. tery was still a centre of staid, fashionable doings, and a kind of distinguished commercial-

ism.

It was at this time that Luman Reed arose, a typical business man of the old school whom Mr. Durand does well to include in his book, for Durand does well to include in his book, for typical was not only of service to Asher Durand, the public Miss SARA LOUISE TRACY, A. M. Associate Principal, Germantown, Philadelphia. but is interesting as a specimen of the public citizen early in the century. He began life in a country store at Coxsackie, and ended it in one of those roomy old mansions of lower New-York which have almost all disappeared, the monuments of the Battery and its neighborhood. Reed was apparently a charming man, sympathetic, generous, a Maecenas in a small way to the artists of the period. He helped Durand and many others. He bought their pictures and housed them worthily. His gallery was open to the public once a week, and became something of an institution in a city where the value of art was only dawning upon the minds of its in habitants. After Reed's death the collection was established for a while in the Rotunda, Vanderlyn's building in City Hall Park, which was derlyn's building in City Hall Park, which was demolished not many years since. The Historical and Columbia College Law School; special experience in coaching students for college examinations. 361 Mhare, Society owns the pictures now, and they have faded practically from public knowledge. But one can imagine from Mr. Durand's pages what they meant to the few connoisseurs among Reed's contemporaries, and one calls up a gratifying picture of enthusiasm and serious ambition

Asher Durand himself was an enthusiastic man, always studying and always bent on a high ideal. It is suggestive to find his warm artistic temperament gravitating at once, on his visit to London in 1840, toward exactly the right man in English landscape. "I saw . . . one picture by Constable," he said, "evincing more of simple truth and naturalness than any English landscape I have before met with." It is good to see our American ploneer discovering what it has taken many of his countrymen years to find out. Curiously enough, he came back to America uninfluenced by his travels either in England or on the Continent. He was essentially an American painter, drawing his inspiration from the landscape of his native land, and sharing to the exclusion of all else in the purely American life of his day. His career was uneventful, and leaves no marks of picturesqueness upon the record before us, but for the quiet colors of life in New-York fifty years back this book is, in an unassuming way, a useful production.

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